

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEL PORTER,

Defendant.

8:17CR163

ORDER

This matter is before the Court on Defendant's Motion to Review Detention and Request for Hearing (Filing No. 34) in which he seeks to enter into a treatment program, and for Probation and Pretrial Services to investigate a plan for release. In reviewing the motion, it appears that the filing does not include a substance abuse evaluation or a letter of acceptance from the proposed treatment program accompanied by a statement of the program's requirements. Additionally, the Court finds that the motion does not set out the respective positions of Probation and Pretrial Services and the Government. For all of these reasons, the motion will be denied without hearing. Upon consideration,

IT IS ORDERED:

1. Defendant's Motion to Review Detention and Request for Hearing (Filing No. 34) is denied without prejudice to the refiling of a motion that sets out an appropriate release plan in accordance with the recommendations of a substance abuse evaluation.
2. Future motions for reconsideration of detention shall be filed as restricted with an attached substance abuse evaluation and a letter of acceptance from the proposed treatment program accompanied by a statement of the program's requirements.
3. Additionally, all motions for reconsideration of detention shall contain a statement as to the respective positions of Probation and Pretrial Services and the Government.

Dated this 18th day of December, 2017.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge